

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

DAVID LEVOYD REED,

Plaintiff

V.

CLARK COUNTY DISTRICT ATTORNEY,  
et al.,

## Defendants

Case No.: 2:20-cv-01274-APG-NJK

**Order Adopting Magistrate Judge's  
Report and Recommendation, and Denying  
Motion for Leave to File Joinder**

[ECF Nos. 12, 15]

Magistrate Judge Koppe screened the complaint filed by plaintiff David Reed. She recommended that I dismiss some of the claims and stay the remaining claims until Reed's state criminal case is resolved. ECF No. 12 at 9. Reed objected to Judge Koppe's recommendations (ECF No. 14), and moved for leave to add claims and defendants to this case (ECF No. 15).

I have conducted a de novo review of the complaint and relevant papers as required by Local Rule IB 3-2(b). Judge Koppe's Report and Recommendation sets forth the proper legal analysis and factual bases for the decision, and I adopt it as my own. I will stay this case until Reed's state criminal case is completed. I thus will deny without prejudice Reed's motion for leave as moot.

I THEREFORE ORDER that the Report and Recommendation (**ECF No. 12**) is **accepted.**

I FURTHER ORDER that the following claims are dismissed:

1. Reed's federal constitutional claims for declaratory and injunctive relief against the defendants;
2. Reed's claims for damages against the defendants in their official capacities;

3. Reed's claim for damages against the Clark County District Attorney and defendant Shannon Clowers in their personal capacities for initiating and pursuing a criminal case against him;
4. Reed's claims for damages against defendants Clowers and Ekaterina Derjavina in their personal capacities for failing to preserve or disclose exculpatory evidence; and
5. Reed's claim against defendant Parker Brooks for allegedly withholding the aerial video footage.

I FURTHER ORDER that the following claims are STAYED pending the resolution of Reed's state criminal case:

1. Reed's claim for damages against defendant Brooks in his personal capacity for destroying exculpatory evidence;
2. Reed's damages claim against defendant Jeff Rogan in his personal capacity for conspiring with the Las Vegas Metropolitan Police Department to manufacture probable cause;
3. Reed's damages claim against the defendants in their personal capacities for preventing Reed from attending proceedings in his state criminal case; and
4. Reed's state law claims.

I FURTHER ORDER the Clerk's Office to ADMINISTRATIVELY CLOSE this case.

I FURTHER ORDER Plaintiff Reed to file a request to reopen this case within 30 days of the final disposition of his criminal case if he wishes to proceed. If he fails to do so, this case may be dismissed without further notice.

1 I FURTHER ORDER that Reed's motion for leave to add claims and defendants (ECF  
2 **No. 15) is denied** without prejudice.

3 DATED this 2nd day of August, 2021.

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5 ANDREW P. GORDON  
6 UNITED STATES DISTRICT JUDGE  
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